

6514-11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Robert A. Scott et al.

Title: ENTERIC AND COLONIC  
DELIVERY USING HPMC  
CAPSULES

Appl. No.: 09/836,627

Filing Date: 04/17/2001

Examiner: Humera N. Sheikh

Art Unit: 1615

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, VA, at Fax Number 571 273-8300 on the date below. <u>Christine Avenoso</u> (Printed Name) <u>Christine Avenoso</u> (Signature) <u>11/16/2005</u> (Date of Deposit)
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**RESPONSE ACCOMPANYING AN RCE AND****SUPPLEMENTAL RESPONSE AFTER FINAL REJECTION****UNDER 37 C.F.R. §§ 1.111 and 1.114**

This is a Supplemental Response to the Office Action dated May 20, 2005 having an initially extended time for response of October 20, 2005, which is now being extended for a further month to November 20, 2005. A Petition for the additional month is being submitted with this communication. Should any fee be due, please charge Deposit Account Number 23-0455. In view of the following remarks, Applicants submit that the Application is in condition for allowance and reconsideration is respectfully requested.

**RESPONSE**

As a supplement to the original response filed on October 19, 2005, and as a follow-up to the teleconference with Examiner Sheikh on November 16, 2005, today, three things are being done: (a) selected claims are being submitted as suggested by

6514-11

the Examiner; a Notice of Appeal is being submitted to capture additional subject matter from the application that Applicants believe to be outside the scope of the art; and (c) and RCE is being filed to preserve the ability to work on the case further.

A petition for an additional month (in addition to the previous petition for a two month extension as submitted with the response of October 19, 2005) for a total of three months extension of time is enclosed with this Supplemental Response. Should an additional fee be due, please charge Deposit Account Number 23-0455.

In view of the following, Applicants submit that the Application is now in condition for allowance and reconsideration is respectfully requested.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks** begin on page 6 of this paper.